

Peter J. Ryan, Esq., 300016
ryan@floresryan.com
FLORES RYAN, LLP
115 W. California Blvd., #9010
Pasadena, California 91105
Telephone: (626) 514-0950
Facsimile: (626) 270-5760

Counsel for TESTA CAPITAL GROUP, THOMAS L. TESTA,
HOME LOANS UNLIMITED, INC., DANIEL TRIANA,
JAMES DAVID SHIELDS, and SHAWN CHARLES SOURGOSE

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

JINZHENG GROUP (USA), LLC

Debtor and Debtor-In-
Possession.

Los Angeles County Superior Court Case No.
22AHCV00093

Bankruptcy Case No. 2:21-bk-16674-ER

Chapter 11

**NOTICE OF REMOVAL OF STATE
COURT ACTION**

[FRBP 9027: LBR 9027-11]

JINZHENG GROUP (USA), LLC.,

Plaintiff,

Vs.

TESTA CAPITAL GROUP, A California
Corporation; THOMAS L TESTA, an
individual; HOME LOANS UNLIMITED
INC. A California Corporation; DANIEL
TRIANA, an individual; JAMES DAVID
SHIELDS, an individual; SHAWN CHARLES
SOURGOSE, an individual; BETTY BAO
ZHENG, an individual; CBW GLOBAL INC.
A California Corporation and DOES 1 through
150, Inclusive,

Defendants.

NOTICE OF REMOVAL TO BANKRUPTCY COURT

1 **TO THE UNITED STATES BANKRUPTCY COURT, TO THE UNITED STATES**
2 **TRUSTEE AND TO ALL PARTIES IN INTEREST:**

3 **PLEASE TAKE NOTICE** that Home Loans Unlimited Inc., a Creditor and Defendant
4 (the “Creditor/ Defendants”), submits this Notice of Removal of Civil Action (the “Notice”) in
5 accordance with Rule 9027 of the Federal Rules of Bankruptcy Procedure, 28 U.S.C. § 1452(a),
6 and 28 U.S.C. § 157(a) and Local Bankruptcy Rule 9027-1, and respectfully represents, as
7 follows:

8 The Debtor filed a voluntary chapter 11 petition on August 24, 2021, commencing a
9 reorganization case (the “Chapter 11 Case”) which is pending before the United States
10 Bankruptcy Court. The Chapter 11 case is designated as Case No. 2:21-bk-16674-ER. The
11 Debtor is a debtor-in-possession pursuant to 11 U.S.C. §§ 1101(1) and 1107.

12 After the commencement of the Chapter 11 Case, a civil action entitled Jinzheng Group
13 (USA), LLC v. Testa Capital Group, Thomas L. Testa, Home Loans Unlimited, Inc., Daniel
14 triana, James David Shields, Shawn Charles Sourgose, Betty Bao Zheng, CBW Global, Inc. and
15 Does 1 through 150 (the “Civil Action”), was commenced in the Superior Court of the State of
16 California, for the County of Los Angeles-Alhambra Courthouse (“Superior Court”), Case
17 No. 22AHCV00093. The Civil Action, until the filing of this Notice and the filing of a copy of
18 this Notice with the Clerk of the Los Angeles Superior Court, was still pending before the
19 Superior Court.

20 This notice shall be accompanied within 30 days of the filing of this Notice by a copy of
21 all process and pleadings in the Civil Action in accordance with Rule 9027(a)(1) of the Federal
22 Rules of Bankruptcy Procedure and Local Bankruptcy Rule 9027-1. The term “pleadings” is
23 defined by Rule 7 of the Federal Rules of Civil Procedure, which is incorporated by Rule 7007 of
24 the Federal Rules of Bankruptcy Proceedings. Copies of the abovementioned process and
25 pleadings will be timely filed. If additional documents relating to the Civil Action are required,
26 the Debtor will submit such documents.

27 The Civil Action, including all claims and causes of action asserted therein, is a Civil
28

1 Action other than a proceeding before the United States Tax Court, it is not a Civil Action by a
2 governmental unit to enforce such governmental unit's police or regulatory power. The Civil
3 Action was initiated after the commencement of the Chapter 11 Case.

4 The Civil Action is a civil proceeding related to the Chapter 11 Case. The bankruptcy
5 court presiding over the Chapter 11 Case pursuant to the general reference with respect to Title 11
6 cases in effect and 28 U.S.C. § 157(a), has jurisdiction of each and every cause of action asserted
7 in the Civil Action under 28 U.S.C. § 1334. All such claims and causes of action have a clear and
8 direct impact on property of the estate under 11 U.S.C. § 541. Resolution of the claims asserted in
9 the Civil Action will significantly affect the administration of the estate and would involve
10 attempts to obtain property of the estate, proceedings affecting the liquidation of assets of the
11 estate, the adjustment of debtor-creditor relationships, and the equity security holder relationships.
12 All such proceedings are core proceedings under, among others, 28 U.S.C. § 157(b)(2)(A), (E),
13 and (O). In the event that "any claim or cause of action" asserted in the Civil Action is
14 determined to be non-core, the Debtor consents to the entry of final orders or judgment by the
15 bankruptcy judge.

16 This Notice of Removal is filed less than thirty (30) days after service of the Civil Action.
17 As mentioned above, the Civil Action was not filed until after the Chapter 11 Case had already
18 been commenced. Each claim and cause of action in the Civil Action is related to the Chapter 11
19 Case. Removal of each claim and cause of action of the Civil Action to the bankruptcy court is
20 authorized by 28 U.S.C. §§ 1452, 1334 and 157, and the General Order of the District Court for
21 the Central District of California referring bankruptcy matters to the United States Bankruptcy
22 Court. Removal is in accordance with Rule 9027 of the Federal Rules of Bankruptcy Procedure
23 and Local Bankruptcy Rule 9027-1.


24 NOW THEREFORE, ALL PARTIES TO THE CIVIL ACTION PENDING IN THE
25 SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF LOS ANGELES-
26 ALHAMBRA COURTHOUSE, AS CASE No. No. 22AHCV00093 ARE HEREBY NOTIFIED,
27 pursuant to Rule 9027(e) of the Federal Rules of Bankruptcy Procedure, as follows:

28 Removal of the Civil Action and all claims and causes of action therein is effected upon

1 the filing of a copy of this notice with the Clerk of the State Court pursuant to Rule 9027(c) of
2 the Federal Rules of Bankruptcy Procedure. The Civil Action is removed from the Superior
3 Court to the bankruptcy court presiding over the Chapter 11 Case. **The parties to the Civil**
4 **Action shall proceed no further in the Superior Court unless and until the action is**
5 **remanded by the bankruptcy court.**

6
7 Dated: April 8, 2022

FLORES RYAN, LLP

8
9 
10 By: _____
11 Peter Ryan
12 Counsel for Testa Capital Group, Thomas L. Testa,
13 Home Loans Unlimited, Inc., Daniel Triana, James
14 David Shields, and Shawn Charles Sourgose
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>Peter J. Ryan, Esq., 300016 ryan@floresryan.com FLORES RYAN, LLP 115 W. California Blvd., #9010 Pasadena, California 91105 Telephone: (626) 514-0950 Facsimile: (626) 270-5760</p> <p><input type="checkbox"/> Individual appearing without an attorney <input checked="" type="checkbox"/> Attorney for: TESTA CAPITAL GROUP, THOMAS L. TESTA, HOME LOANS UNLIMITED, INC., DANIEL TRIANA, JAMES DAVID SHIELDS, and SHAWN CHARLES SOURGOSE</p>	<p>FOR COURT USE ONLY</p>
<p style="text-align: center;">UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA</p>	
<p>In re:</p> <p>JINZHENG GROUP (USA) LLC</p> <p style="text-align: right;">Debtor(s).</p> <p>JINZHENG GROUP (USA) LLC</p> <p style="text-align: right;">Plaintiff(s),</p> <p style="text-align: center;">VS.</p> <p>TESTA CAPITAL GROUP, A California Corporation; THOMAS L TESTA, an individual; HOME LOANS UNLIMITED INC. A California Corporation; DANIEL TRIANA, an individual; JAMES DAVID SHIELDS, an individual; SHAWN CHARLES SOURGOSE, an individual; BETTY BAO ZHENG, an individual; CBW GLOBAL INC. A California Corporation and DOES 1 through 150, Inclusive,</p> <p style="text-align: right;">Defendant.</p>	<p>CASE NO.: 2:21-bk-16674-ER CHAPTER: 11 ADVERSARY NO:</p> <p style="text-align: center;">NOTICE OF STATUS CONFERENCE RE REMOVAL OF ACTION</p> <p style="text-align: center;">[LBR 9027-1]</p>

TO: ALL PARTIES IN REMOVED ACTION, ANY TRUSTEE APPOINTED IN THE BANKRUPTCY CASE, AND THE U.S. TRUSTEE: A Notice of Removal of Action (Removal Notice) was filed under 28 U.S.C. §1452(a), FRBP 9027 and LBR 9027-1(a). A copy of the Removal Notice accompanies this Notices of Status Conference (Status Conference Notice).

Removing Party: Home Loans Unlimited, Inc.
Date of Filing of Removing Notice: 4/11/2022
Court/division from which action is removed: Los Angeles Superior Court- Alhambra Courthouse
Case No. of Removed Action: 22AHCV00093

1) **Status Conference** - A status conference on the Removal Notice has been set for:

Hearing date:	Address:
Time:	<input checked="" type="checkbox"/> 255 East Temple Street, Los Angeles, CA 90012
Courtroom:	<input type="checkbox"/> 3420 Twelfth Street, Riverside, CA 92501
	<input type="checkbox"/> 411 West Fourth Street, Santa Ana, CA 92701
	<input type="checkbox"/> 1415 State Street, Santa Barbara, CA 93101
	<input type="checkbox"/> 21041 Burbank Boulevard, Woodland Hills, CA 91367

- 2) **Service of Status Conference Notice** - Pursuant to LBR 9027-1(b)(3), no later than 14 days after the Status Conference Notice is issued and filed, the party who filed the Removal Notice must serve the Status Conference Notice on all parties to the removed action, any trustee appointed in the bankruptcy case, the United States trustee, and a judge's copy as provided in the Court Manual.
- 3) **Preserving Right to Jury Trial** - Pursuant to LBR 9027-1(e), no later than 14 days after service of the Removal Notice (plus an additional 3 days if you were served by mail, electronically or pursuant to F.R. Civ. P. 5(b)(2)(D), (E) or (F)), a party to the removed action must comply with LBR 9015-2 to preserve any right to trial by jury.
- 4) **FRBP 9027(e)(3) Statement** - Pursuant to FRBP 9027(e)(3), no later than 14 days after the filing of the Removal Notice (plus an additional 3 days if you were served by mail, electronically or pursuant to F.R. Civ. P. 5(b)(2)(D), (E) or (F)), a party to the removed action (other than the party who filed the Removal Notice) must file with the clerk the statement required under FRBP 9027(e)(3) and serve the statement upon all other parties to the removed action.
- 5) **Litigation Documents** - Pursuant to FRBP 9027(a)(1) and 9027(e)(2), and LBR 9027-1(d), subject to LBR 9027-1(d)(2)(B), no later than 30 days after the filing of the Removal Notice, the party who filed the Removal Notice must file with the clerk, all the following items pertaining to the action being removed:
- (a) A copy of the docket from the court where the removed litigation was pending; and
 - (b) A copy of every document reflected on the docket, whether the document was filed by a party entered by the court. These copies must be provided in chronological order according to the date the document was filed.
- 6) **Joint Status Report** - Pursuant to LBR 7016-1(a)(2), no later than **14 days prior to the Status Conference**, all parties to the adversary proceeding must participate in filing a joint status report (JSR) and deliver a judge's copy as required in the Court Manual. The JSR must be prepared according to the instructions set

forth on the court's website at www.cacb.uscourts.gov.

KATHLEEN J. CAMPBELL, CLERK OF COURT

Date: _____

By: _____
Deputy Clerk

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
3435 Wilshire Blvd., Suite 2920
Los Angeles, CA 90010

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF REMOVAL OF STATE COURT ACTION** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)**: Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On 4/11/2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Donna C Bullock on behalf of Interested Party Donna Bullock Carrera
donnabullockcarrera@yahoo.com, donna.bullock@ymail.com

Steven P Chang on behalf of Interested Party Courtesy NEF
heidi@spclawoffice.com, schang@spclawoffice.com, assistant1@spclawoffice.com, attorney@spclawoffice.com; g9806@notify.cincompass.com; changsr75251@notify.bestcase.com

Michael F Chekian on behalf of Creditor The Phalanx Group
mike@cheklaw.com, chekianmr84018@notify.bestcase.com

Michael F Chekian on behalf of Interested Party Chekian Law Office, Inc.
mike@cheklaw.com, chekianmr84018@notify.bestcase.com

Susan Titus Collins on behalf of Interested Party INTERESTED PARTY
scollins@counsel.lacounty.gov

Jeffrey W Dulberg on behalf of Creditor Committee OFFICIAL COMMITTEE OF UNSECURED CREDITORS
jdulberg@pszjlaw.com

Richard Gargado on behalf of Interested Party Courtesy NEF
rgargado@counsel.lacounty.gov

M. Jonathan Hayes on behalf of Interested Party Courtesy NEF
jhayes@rhmfir.com, roksana@rhmfir.com; matt@rhmfir.com; rosario@rhmfir.com; pardis@rhmfir.com; rus@rhmfir.com; david@rhmfir.com; sloan@rhmfir.com; boshra@rhmfir.com; rosario@rhmfir.com

Teddy M Kapur on behalf of Creditor Committee OFFICIAL COMMITTEE OF UNSECURED CREDITORS
tkapur@pszjlaw.com, mdj@pszjlaw.com

Peter A Kim on behalf of Attorney LAW OFFICES OF PETER KIM
peter@pkimlaw.com, peterandrewkim@yahoo.com

Christopher J Langley on behalf of Debtor JINZHENG GROUP (USA) LLC
chris@slclawoffice.com, omar@slclawoffice.com; langleycr75251@notify.bestcase.com

Benjamin R Levinson, ESQ on behalf of Creditor Michael E. Dorff and Shari L. Dorff
ben@benlevinsonlaw.com, courtney@benlevinsonlaw.com

Eric A Mitnick on behalf of Interested Party Courtesy NEF

MitnickLaw@aol.com, mitnicklaw@gmail.com

Giovanni Orantes on behalf of Other Professional Orantes Law Firm, P.C.
go@gobklaw.com, gorantes@orantes-law.com, cmh@gobklaw.com, gobklaw@gmail.com, go@ecf.inforuptcy.com, orantesgr89122@notify.bestcase.com

Donald W Reid on behalf of Interested Party INTERESTED PARTY
don@donreidlaw.com, ecf@donreidlaw.com

Matthew D. Resnik on behalf of Attorney Matthew Resnik
matt@rhmfirm.com, roksana@rhmfirm.com; rosario@rhmfirm.com; susie@rhmfirm.com; max@rhmfirm.com; priscilla@rhmfirm.com; pardis@rhmfirm.com; russ@rhmfirm.com; rebecca@rhmfirm.com; david@rhmfirm.com; sloan@rhmfirm.com

Matthew D. Resnik on behalf of Creditor Royalty Equity Lending, LLC/Bobs LLC
matt@rhmfirm.com, roksana@rhmfirm.com; rosario@rhmfirm.com; susie@rhmfirm.com; max@rhmfirm.com; priscilla@rhmfirm.com; pardis@rhmfirm.com; russ@rhmfirm.com; rebecca@rhmfirm.com; david@rhmfirm.com; sloan@rhmfirm.com

Matthew D. Resnik on behalf of Interested Party Courtesy NEF
matt@rhmfirm.com, roksana@rhmfirm.com; rosario@rhmfirm.com; susie@rhmfirm.com; max@rhmfirm.com; priscilla@rhmfirm.com; pardis@rhmfirm.com; russ@rhmfirm.com; rebecca@rhmfirm.com; david@rhmfirm.com; sloan@rhmfirm.com

Allan D Sarver on behalf of Creditor Investment Management Company LLC
ADS@asarverlaw.com

Allan D Sarver on behalf of Interested Party Courtesy NEF
ADS@asarverlaw.com

David Samuel Shevitz on behalf of Interested Party INTERESTED PARTY
david@shevitzlawfirm.com, shevitzlawfirm@ecf.courtdrive.com; r48785@notify.bestcase.com; Jose@shevitzlawfirm.com

United States Trustee (LA)
ustregion16.la.ecf@usdoj.gov

Hatty K Yip on behalf of U.S. Trustee United States Trustee (LA)
hatty.yip@usdoj.gov, hatty.k.yip@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On, 4/11/2022 I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

United States Bankruptcy Court
Honorable Ernest Robles
255 E. Temple Street, Suite 1560
Los Angeles, CA 90012

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on 4/11/2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

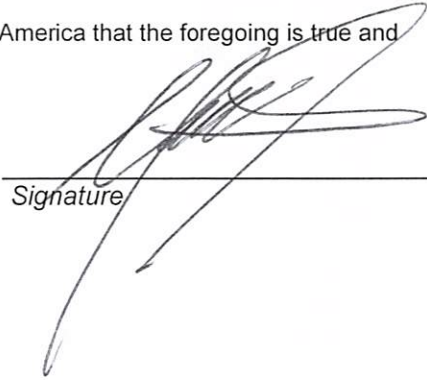
April 11, 2022

Date

Andrea M. Castro

Printed Name

Signature

A handwritten signature in black ink, appearing to read 'Andrea M. Castro', is written over a horizontal line. The signature is stylized with a large, sweeping 'A' and a long, horizontal stroke extending to the right.